

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 26

August 28, 2006

**SUBJECT: PROCEDURES FOR SUSPECTED CHILD ABUSE INVESTIGATIONS
 - REVISED**

EFFECTIVE: IMMEDIATELY

PURPOSE: The Department has established revised procedures for investigating Suspected Child Abuse Reports (SCAR), Department of Justice Form SS 8572, in order to provide more timely and effective investigations, and to ensure SCARs involving evidence of physical abuse or an endangered child are handled expeditiously.

This Order modifies guidelines and supercedes Special Order No. 32, 2002, *Suspected Child Abuse Report Investigations*, and Operational Order No. 2, 2002, *Juvenile Car Operations*.

PROCEDURE:

I. REPORTING SCAR INVESTIGATIONS. California law specifies that certain professionals, as well as employees of designated organizations, and agencies (mandated reporters), as specified in Penal Code Section 11165.7 (i.e., health care professionals, school officials), must report suspected child abuse and neglect to any of the following:

- * Any law enforcement agency; or,
- * The county welfare department (e.g., Department of Children and Family Services [DCFS]).

Suspected child abuse can be reported to the Department as follows:

- * Fax referral; or,

Note: SCARs received via fax during business hours shall be reviewed, organized, and evaluated by the staff of the Investigative Control Unit (ICU), Juvenile Division. During weekends, holidays, and off-hours, these functions will be the responsibility of the Detective Information Desk (DID), Detective Support Division (DSD).

- * Direct verbal notification from DCFS; or,
- * Direct verbal notification from a mandated reporter; or,

- * Direct verbal notification from a concerned member of the public; or,
- * SCAR mailed directly to the Department by DCFS or a mandated reporter.

Note: SCARs sent directly to the Department by DCFS or a mandated reporter shall be forwarded to the concerned Area SCAR Coordinator who will obtain a tracking number from ICU. The SCAR shall be logged and filed. When the Department is the first agency to receive a SCAR, it is required to provide the information to DCFS and vice versa (cross-report).

II. SCAR REVIEW PROCESS. The review process will include determination as to whether the SCAR requires law enforcement investigation, and if it does, whether the SCAR warrants an immediate Department response. If the immediate dispatch of a unit is required but there was a delay in reporting, or other circumstances indicate the call may have already been handled, staff from the receiving division (e.g., Juvenile Division or DSD) shall query the Department computer system using the alleged victim's name and address to determine if a report regarding the incident has already been completed. If a report has been completed, the DR number, type of report, and the date of the report shall be included in the SCAR. No further preliminary investigation is required.

III. SCAR INVESTIGATION RESPONSE PROTOCOL.

A. Immediate Dispatch. A patrol unit shall be immediately dispatched when any of the following are involved:

- * An allegation of sexual abuse; or,
- * Physical abuse with visible injury; or,

Note: The investigation of incidents involving visible injuries, in most cases, will require an immediate dispatch of a patrol unit, unless otherwise determined through considerable review and evaluation by ICU, and the approval of a supervisor.

Example: Injuries caused by children involved in mutual combat, minor injury caused during reasonable restraint (i.e., a parent holding down a combative child), or when there is minor injury and the

perpetrator has no direct or likely access to the child.

- * Severe neglect requiring medical treatment; or,
- * Hospitalization for internal injuries of a suspicious nature.

Note: School cars and juvenile cars will not automatically be assigned child abuse calls. Child abuse calls for service generated by Juvenile Division or DSD, must include in the comments, a request for the handling unit to contact their watch commander prior to handling the call. A copy of the SCAR with the time and date the call was created, and the incident number, will be immediately faxed to the watch commander's office of the handling division. This will ensure that the responding unit has all the necessary information regarding the investigation prior to handling the call. If the SCAR indicates DCFS is handling as an "Immediate Response," a Children's Social Worker (CSW) will be assigned, and will respond regardless of the time of day or day of the week. However, law enforcement personnel are required to complete a criminal investigation.

B. Exceptions to Immediate Dispatch - Delayed Handling.

The dispatch of a unit to investigate a SCAR may be delayed or handled in an alternate manner, if any of the following apply:

- * The SCAR does not meet the criteria for immediate dispatch; or,
- * The SCAR meets the criteria for immediate dispatch, but a supervisor from the handling Department entity approves delayed handling (A period not to exceed 24 hours in furtherance of the investigation, after giving due consideration to the risk factors involving the child and any siblings); or,

EXAMPLE: A SCAR describing minor bruising to a 10-year-old child is received at 0200 hours. Since the dispatch of a unit would most likely require both the child and the parents to be awakened, the supervisor delays dispatch until the next morning when the child is in school, and can be interviewed in a neutral setting at a more convenient time.

- * Alleged sexual abuse that occurred more than 72 hours earlier and the perpetrator has no direct or likely access to the child; or,
- * When an injury or crime report has already been taken for the incident reported in the SCAR.

Note: If the responding officers are unable to locate the reporting party or an alleged victim during their investigation, they shall contact their watch commander for guidance on how to proceed. The watch commander shall determine if the alleged abuse is serious enough to require the continuing efforts of the officers to locate the victim or whether another unit can be dispatched at a later time. If the decision is made to dispatch a unit at a later time, the watch commander shall ensure appropriate arrangements are made for the call to be reassigned within the next 24 hours. If a second response has not been attempted prior to the concerned watch commander's end of watch, the watch commander shall make an entry in the Watch Commander's Daily Report, Form 15.80.0, specifically describing what arrangements have been made. After a total of two unsuccessful attempts have been made to investigate the SCAR, the watch commander shall forward the SCAR to the Area SCAR Coordinator for additional follow-up. All efforts to handle the SCAR shall be chronologically documented on the SCAR, on an attached chronological record, or on an attached Area Command Center (ACC)/ Mobile Digital Terminal (MDT) administrative message. The date and time of each attempt, together with the officers' names and unit numbers, shall be included. Officers concluding a SCAR investigation shall complete a crime report or injury report.

IV. REPORTING PROCEDURES. An Injury Report, Form 3.15, is to be completed when there is no evidence of a crime to document the preliminary investigation. Reporting procedures shall be handled depending on the type of notification.

A. Notification from DCFS. Officers responding to a call from a DCFS notification do not need to complete a SCAR. DCFS has the responsibility for ensuring a SCAR has been completed, or will be completed. If the CSW has the SCAR available, officers shall obtain a copy and attach it to a copy of the crime or Injury Report then forward it to

the Area SCAR Coordinator. A tracking number shall be obtained from ICU and the SCAR shall be logged and filed.

- B. Notification from a Mandated Reporter.** If the mandated reporter has the SCAR available, officers shall have him/her retain the yellow copy, and the officer shall take the remaining copies. The officers shall attach these copies, along with a copy of the crime or Injury Report, and forward it to the Area SCAR Coordinator.

If the mandated reporter has not yet completed a SCAR, officers shall advise him/her to complete a SCAR within 36 hours. Officers do not need to complete a SCAR. If the mandated reporter has completed a SCAR, and obtained a DCFS referral number, officers shall include it in the narrative of the report. If there is no DCFS referral number, officers must cross report to the DCFS Child Protection Hot Line, at (800) 540-4000. Upon completion of the report, officers will be provided with the child's name and the name of the social worker giving the referral number. The referral number shall be included in the narrative portion of the crime or Injury Report.

The Area SCAR Coordinator shall obtain a tracking number from ICU, write it on the white copy of the SCAR, Form SS8572, and file it accordingly.

Note: The identity of mandated reporters shall be kept confidential, and disclosed only to other involved agencies, in accordance with Penal Code Section 11167. Mandated reporters are required to make an initial telephonic report as soon as practicable, and a written report within 36 hours.

- C. Notification from a Concerned Member of the Public.**

Upon notification from a concerned member of the public, officers shall complete a SCAR and contact the DCFS Child Protection Hot Line at (800) 540-4000, for a referral number. The officer will be provided with the child's name and the name of the social worker giving the referral number. This information shall be included in the narrative of the crime or Injury Report. Officers shall then attach and forward the completed SCAR along with a copy of the crime or Injury Report to the Area SCAR Coordinator. A tracking number shall be obtained from ICU and the SCAR logged. The tracking number shall

be written on the white copy of the SCAR and filed accordingly.

D. Notification Received by Mail. If a SCAR received by mail does not have a DCFS referral number, officers must cross report to the DCFS Child Protection Hot Line, at (800) 540-4000. Officers shall then forward the SCAR, along with a copy of the crime or Injury Report, to the Area SCAR Coordinator. The SCAR Coordinator shall ensure a copy of the SCAR, and the associated report(s) are sent to ICU, Juvenile Division.

V. INVESTIGATIVE CONTROL UNIT (ICU), JUVENILE DIVISION, RESPONSIBILITIES. Investigative Control Unit shall track from inception to conclusion, all child abuse preliminary investigations resulting from a SCAR being faxed, mailed, or otherwise delivered to any Department entity. Investigative Control Unit is responsible for providing crime and Injury Reports, and other information related to SCAR investigations, to the City Attorney's Office upon their request. All city attorney cases require copies of the SCARs and all associated reports mailed to ICU. Additionally, ICU will provide procedural advice to Department personnel upon request, and investigative advice when Juvenile Division is responsible for the follow-up investigations.

VI. AREA COMMANDING OFFICER'S RESPONSIBILITIES. The Area Commanding Officer is responsible for the overall management of SCAR investigations assigned to the Area. The Area Commanding Officer must also ensure that there be an individual assigned to assume responsibility in the event of the Area SCAR Coordinator's absence. The Area Commanding Officer shall ensure newly assigned juvenile and school car officers complete Juvenile Procedures School within 60 days of their assignment.

VII. AREA SCAR COORDINATOR'S RESPONSIBILITIES. The Area Major Assault Crime (MAC) Coordinator is the Area SCAR Coordinator. The Area SCAR Coordinator is responsible for ensuring all SCAR investigations and related report processing are conducted within the guidelines of this Order and other Department directives. The Area SCAR Coordinator shall ensure all SCARs received (which pertain to the Area) are entered in a control log, and that at the conclusion of the preliminary investigation, are filed and organized by tracking number. The Area SCAR coordinator shall forward

completed SCARs or dispositions and any associated reports to ICU, Juvenile Division, by either regular mail or electronic mail (E-mail). The SCAR Coordinator shall cause all SCARs received directly from ICU, or incomplete SCARs received from the watch commander, to be further investigated by a school or juvenile car.

Note: When e-mailing dispositions to ICU, the tracking log number, victim's name, type of report, and DR number shall be included.

VIII. DETECTIVE INFORMATION DESK (DID), DETECTIVE SUPPORT DIVISION RESPONSIBILITIES. When ICU is closed, the staff of DID shall assume the responsibilities for reviewing, organizing, and determining if the immediate dispatch of a unit is warranted on all incoming faxed SCARs. When an immediate dispatch is necessary, DID shall document required information regarding the call for service, and the disposition of the SCAR investigation.

AMENDMENTS: This Order adds Section 4/218.53 to the Department Manual.

AUDIT RESPONSIBILITY. The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

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